

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, September 14, 2000, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Caveglia, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Bennett, Bogue, Fish, Halliday, Sacks, Williams, Zermeno
CHAIRPERSON Caveglia
Absent: COMMISSIONER None

Staff Members Present: Bascom, Baker-Madsen, Calame, Conneely, Looney, Patenaude

General Public Present: Approximately 15

PUBLIC COMMENT

Acting Principal Planner Patenaude introduced Assistant Planner Bascom who would be presenting a report.

There were no other public comments.

AGENDA

1. **Variance No. 00-180-13 – Ralph Evans (Applicant/Owner):** Request to Convert a Legal Nonconforming Carport Structure into an Enclosed Garage With Variances to Allow a minimum 1'6" Side Yard Setback Where 7 Feet is Required, and a 16'8" Front Yard Setback Where 20 Feet is Required – The Property is Located at 3 1694 Chicoine Avenue in the Family Residential (RS) District.
2. **Administrative Use Permit Application No. 00-150-26 – City of Hayward (Applicant/Owner):** Request for an Addition to Weekes Branch Library - the Project Location is 27182 Patrick Avenue, Opposite Roosevelt Lane in the Single-Family Residential (RS) District
3. **Use Permit Application No. 99-160-28 – Peggy Vittsria for Sea Angel's Touch (Applicant)/Jerry Egusa (Owner) –** Request to Conduct Therapeutic Bodywork Services (Massage/Acupressure) in conjunction with an Existing 1,485Square-Foot Holistic Health

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Education Center/Bath & Body Retail Shop in the Central City - Commercial (CC-C) Zoning Subdistrict. The Property Is Located at 1014 "B" Street between Main Street and Foothill Boulevard.

PUBLIC HEARINGS

1. **Variance No. 00-180-13 - Ralph Evans (Applicant/Owner):** Request to Convert a Legal Nonconforming Carport Structure into an Enclosed Garage With Variances to Allow a minimum 1'6" Side Yard Setback Where 7 Feet is Required, and a 16'8" Front Yard Setback Where 20 Feet is Required - The Property is Located at 31694 Chicoine Avenue in the Family Residential (RS) District.

Assistant Planner Bascom described the project and indicated that the existing carport was legally permitted for construction. The owner has done all his conversions with proper permitting. Assistant Planner Bascom indicated that the applicant has faced various challenges in designing the proposed garage because of the position of the house on the lot. One condition of approval is for the applicant to conform the garage roof to the house.

PHO 7:38 p.m.

Ralph Evans, 31694 Chicoine Avenue, said he circulated a flyer within his neighborhood with his proposal and the neighbors were very supportive of the change. He was asking for the 17 feet in the front to conform more closely to the neighbors' garage door frontage.

Commissioner Halliday asked about one particular neighbor's comments.

Mr. Evans explained that the neighbor on the near side of the carport was very supportive of the change.

The public hearing was closed at 7:41 p.m.

Commissioner Halliday said she agreed with the staff recommendation and **moved**, seconded by Commissioner Zermeno, to find for the staff recommendation and approve the variance. She then commented that this is an example of what could be done in the old neighborhoods and that it is consistent with the overall improvement the City is looking for.

Commissioner Fish disagreed and suggested that the house is already overbuilt for the site. He added that he opposed this whole approach.

The **motion passed 6:1**, with Commissioner Fish voting "No."

2. **Administrative Use Permit Application No, 00-150-26 - City of Hayward**



(Applicant/Owner): Request for an Addition to Weekes Branch Library - the Project Location is 27182 Patrick Avenue, Opposite Roseveh Lane in the Single-Family Residential (RS) District

Acting Senior Planner Patenaude described the project as a public project, which is why it was brought to the Commission. The addition would add more space and facilities for public use. The project would add a young adult section, a childrens' section and a programming room. The Adult Collection expansion is not yet funded. Staff recommended approval.

Commissioner Sacks asked about parking. She suggested that more space should be designated for handicapped parking.

Library Director Baker-Madsen explained that the City has a gentleman's agreement with Westminster Church for parking. At this point, funding is not included for additional parking.

Commissioner Halliday asked about trees. She was told the addition could remove 3 trees, which are not part of the screen row along the south property line

Commissioner Williams expressed his concern regarding parking as well. He wondered whether they might not be setting a precedent since any private applicant would be expected to provide parking for any expansion this size. He was told that normally 14 additional spaces would be required. He then asked what if the Church decided not to allow parking at some point in the future, and were there any alternatives. He was told that without further funding there are no alternatives at this time.

Commissioner Fish said that the handicapped were provided for in the facility but what about parking spaces. Design and Consulting Services Manager Peck explained that there is existing handicapped parking on the street but that more can be marked.

Commissioner Zermeno added that there does not seem to be any other solution. He suggested that two curb zones might be marked next to the book drop. Most of the traffic with the new addition will be from one of the schools in the area. He suggested that children's usage is the key here.

Commissioner Bogue said further that in a normal situation they would need parking. However, this is a unique situation in that the park and Library are used largely by children. The increased space is not normal. He said it would be a shame to increase the parking at the expense of losing trees in the park and the surrounding area. He said this would not set a

precedent except for a Library set in a park.

Chairperson Caveglia agreed. He indicated that there are a lot of things done with public facilities because of the lack of money.

Commissioner Zermefio said he would like to change the optional additions to won-optional. He suggested recommending to Council to go with the entire project.

Design and Consulting Services Manager Peck said it would be part of the Design package when it goes out to bid.

The public hearing opened and closed at 8:05 p.m.

Commissioner Sacks **moved**, seconded by Commissioner Halliday, to find the project categorically exempt from CEQA and approve the project.

Commissioner Halliday said she was happy to support the project. She suggested that the City look to adding another handicapped parking space. She emphasized that they endorse the optional addition as well.

Commissioner Fish said he was happy to support the project. However, he would like to see more of the handicapped issues addressed.

Commissioner Sacks said she was pleased and excited about the project. She also stressed that the accessibility issue should be near the surface.

Commissioner Williams said he, too, was very concerned about the facility for others to walk to. He added that he would support the motion.

The **motion passed unanimously**.

Commissioner Zermefio asked to make a further motion to bring the project to Council with a strong stand for support of funding the whole building including the optional expanded area. The motion died for lack of a second.

Commissioner Fish suggested that optional was not a good choice of words. He indicated that the funding agency should have a choice.

Commissioner Halliday said the Commission can not authorize the funding but as an alternate motion to urge the Council to find funding to complete the entire project including the options

Commissioner Zermefio seconded the motion.



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Commissioner Bogue suggested the primary pieces are already included. It is vital for this Library to expand the children and young adults' section. He said he liked the present plan that should not be tied into the others. He said he would not support an all or nothing plan.

Commissioner Zermeno said he preferred to see it all done now and would like to encourage the Council to see the whole project through.

The motion **carried** by the following vote:

AYES:	COMMISSIONERS Fish, Sacks , Walliday , Zermeno CHAIRPERSON Caveglia
NOES:	COMMISSIONER Bogue, Williams
ABSENT:	None
ABSTAIN:	None

3. Use Permit Application No. 99-160-28 – Peggy Vittoria for Sea Angel's Touch (Applicant)/Jerry Egusa (Owner) – Request to Conduct Therapeutic Bodywork Services (Massage/Acupressure) in conjunction with an Existing 1,485-Square-Foot Holistic Health Education Center/Bath & Body Retail Shop in the Central City – Commercial (CC-C) Zoning Subdistrict. The Property Is Located at 1014 "B" Street between Main Street and Foothill Boulevard.

Acting Principal Planner Patenaude described the shop. The applicant has a holistic health education center and massage therapy. She has a good relationship with her neighboring businesses and Chamber of Commerce. Staff recommended approval.

Commissioner Zermeno asked what would happen to the two little rooms toward the front of the building. He was told they would stay as an office and space for an esthetician.

The public hearing opened and closed at 8:22 p.m. with no comments from the public.

Commissioner Williams said this is a positive sign of downtown coming back to life. He **moved**, seconded by Commissioner Halliday, to find the project categorically exempt from

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CEQA and approve the use permit subject to the findings and conditions of approval.

Commissioner Halliday said it is a nice facility. She added that massage has become a part of therapy for many people. It does fit nicely into the downtown retail.

The **motion passed unanimously.**

ADDITIONAL MATTERS

4. Oral Report on Planning and Zoning Matters
Update on General Plan Revision Process

Senior Planner Calame explained that both the Council and Commission would serve as a Joint Task Force for the General Plan Revision. He then highlighted the Calendar for upcoming meetings and public review phase workshops. He indicated that the process would last about 12 months with a public workshop in October of 2001, followed by Planning Commission hearing in November and a City Council hearing in December. Meeting times are problematic but staff anticipates setting aside the fourth Tuesday at the regular City Council work session time of 5-7 p.m. Staff has wondered whether four sessions during each phase were going to be enough. They may have to make a contingency for more discussion times. Perhaps the Task Force might meet on Thursday in one of Planning Commission work session time slots.

Chairperson Caveglia said it is a step forward to include the Commission.

Commissioner Halliday said she was happy to be included and will make a point to be here. Although she thought it might be better scheduled to include the public since that time frame limits their inclusion. Alternate times may be another evening, Wednesday or possibly even a Saturday.

Commissioner Zermeno said he would echo Commissioner Halliday's comments in order to ensure that others can make it. He asked for a copy of the calendar.

Commissioner Sacks said she had mixed feelings. She is delighted to be part of the process. But feels that the general citizens have been cut out off the action. She said she would also have to take leave time to make the meetings.

Commissioner Williams agreed that the General Plan is very important and should include as much input from general public as possible. Saturday meeting dates should be considered.

Chairperson Caveglia clarified that only the task force meetings are at these times. Public Workshops will be scheduled for other times.

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Senior Planner Calame explained that these are study times for the Joint Task Force. The public review phases will include a series of workshops. He added that staff is are thinking in terms of five workshops throughout the City in the initial phase. During Public Review Phase 2, the objective will be to get the information out and gain feedback. He added that he has been to other cities and Saturday sessions work out fairly well with breakout rooms and strategies and maps for people to comment on and then leave. The third public review phase will offer more options for displays and exhibits. The exhibits could also tour schools. Also, staff hopes to use the website to disseminate more information as well. Agendas will be on the website. He said they are exploring now how much material can be put on the website.

Chairperson Caveglia said this would be a much more open process than usual.

Commissioner Williams expressed concern that the earlier the public is involved the better off everyone will be.

Commissioner Sacks said it sounds like a good scenario.

Acting Principal Planner Patenaude asked Members what their preference for public contact would be and to let staff know how to direct requests from the public to them.

5. Commissioners' Announcements, Referrals

Commissioner Fish referred to the Bay Area Transportation and Towing Company on Industrial which has a catering truck in their parking lot which encourages large trucks to park on the street, causing traffic problems in the early hours of the morning. He suggested this might cause safety problems. He then mentioned the mosque near Industrial, which is almost completed, but without the landscaping.

Chairperson Caveglia complemented Corporate Motors for the nice job they have done.

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- July 13, 2000 - Approved
- July 27, 2000 - Approved

ADJOURNMENT

The meeting was adjourned by Chairperson Caveglia at 8:47 p.m.

APPROVED:

Ed Bogue, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary

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